

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SYLVIA MYERS,

Plaintiff,

v.

CJ LOGISTICS AMERICA, LLC; and
DOES 1 through 20, inclusive.,

Defendant.

Case No. 1:24-cv-00465-KES-CDB

**ORDER ON STIPULATION STAYING
ACTION AND ALL DATES PENDING
ARBITRATION**

**ORDER REQUIRING PARTIES TO FILE
A JOINT REPORT**

(Doc. 6)

On April 18, 2024, Defendant CJ Logistics America, LLC, removed this action from state court to this Court. (Doc. 1). According to the allegations of the complaint, Plaintiff Sylvia Myers was employed by Defendant as a forklift operator and alleges that Defendant wrongfully terminated her in violation of public policy under the Fair Employment and Housing Act (“FEHA”) and retaliated against her for purportedly making protected complaints. (Doc. 1, Exhibit 3 “Complaint” p. 2). Plaintiff raises claims for: (1) wrongful termination in violation of public policy; (2) retaliation in violation of California Labor Code § 1102.5; and (3) retaliation in violation of California Labor Code § 6310. *See* Complaint pp. 1-4.

Pending before the Court is the parties’ stipulated request to stay the case pending completion of arbitration. (Doc. 6). The parties represent that they have met and conferred through

1 their counsel and agreed to submit all of Plaintiff's claims to arbitration. (Doc. 6 p. 2). The parties
2 represent that the arbitration hearing is scheduled to commence no later than a year from the filing
3 of the joint demand for arbitration. *Id.* ¶4.

4 Based on the parties' stipulated representations and for good cause shown therein, IT IS
5 HEREBY ORDERED that:

- 6 1. All case management dates and matters related thereto (Doc. 4) are hereby STAYED
7 and the scheduling conference scheduled for July 15, 2024, is VACATED pending
8 the completion of final and binding arbitration by the parties.
- 9 2. The parties shall file a joint report informing the Court of the status of their
10 arbitration efforts every **180 days** from the date of issuance of this order; and
- 11 3. Within **21 days** of the issuance of the arbitrator's decision, or other resolution of the
12 matter, the parties shall file a joint notice updating the Court concerning the matters
13 resolved by arbitration and describing the parties' intentions with respect to the
14 disposition or continued pursuit of this case.

15 IT IS SO ORDERED.

16 Dated: May 13, 2024

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UNITED STATES MAGISTRATE JUDGE